



Docket No.: 60188-419

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
Shigeo IRIE : Confirmation Number: 9324
Serial No.: 09/891,192 : Group Art Unit: 1756
Filed: June 26, 2001 : Allowed: May 18, 2004
Examiner: Saleha Mohamedulla
For: PATTERN FORMING METHOD AND APPARATUS FOR FABRICATING
SEMICONDUCTOR DEVICE

REQUEST TO APPLY THE ISSUE FEE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant is in receipt of the Decision (copy enclosed) on the Petition Under 37 CFR 1.313(c)(2) filed in connection with the above-identified application and respectfully requests that the Issue Fee and Publication Fee paid on March 16, 2004, be applied to the attached new Notice.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

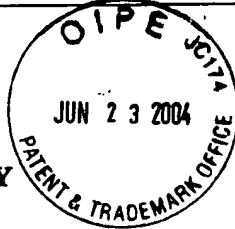
Michael E. Hogarty
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Date: June 23, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of
Shigeo Irie
Application No. 09/891,192
Filed: June 26, 2001
Attorney Docket No. 60188-419

OFFICE OF PETITIONS
DECISION GRANTING PETITION
UNDER 37 CFR 313(c)(2)

This is a decision on the petition, filed April 6, 2004, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

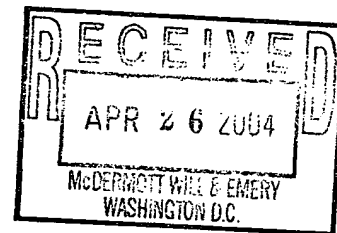
Petitioner is advised that the issue fee paid on March 16, 2004 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (703) 305-8680.

This matter is being referred to Technology Center AU 1756 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed Supplemental Information Disclosure Statement.


Frances Hicks

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).